

ALVERSON, TAYLOR,
MORTENSEN & SANDERS
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Attorneys for Defendant
MICHAEL SCHEIDLER, M.D.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SCOTT JOHNSON, CHRISTINE JOHNSON,
CHAD JOHNSON, DEREK BRYDE
JOHNSON, Decedent,

Plaintiffs,

vs.

JONATHAN BERNSTEIN, ALAN IKEDA,
JENNIFER BUITRAGO-IKEDA, WENDY
DAHL, ANNETTE LOGAN, SAMUEL
ESPARZA, JEREMY LOGAN, MARY WARREN
d/d/a CHILDREN'S SPECIALTY CENTER OF
NEVADA; JONATHAN BERNSTEIN, LTD.,
NDHINA NHLANE, LISA JOHNSON, FARZ
NOROZIAN, CHARLES HUGHES, MARC
O'CONNOR, SUNRISE HOSPITAL AND
MEDICAL CENTER LLC, ST. ROSE
DOMINICAN HOSPITAL SIENA CAMPUS,
d/b/a CATHOLIC HEALTHCARE WEST,
ROBERT KNOBLOCK OF LABORATORY
MEDICAL CONSULTANTS, LTD., THEODORE
MOORE, BERKLEY BROWN d/b/a UCLA
DEPT. OF PEDIATRICS GRP PRACTICE AND
THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, UCLA LOS ANGELES MATTEL,
SUMMERLIN HOSPITAL MEDICAL CENTER
LLC,

Defendants.

Case No.: 2:13-cv-00641-RFB-NJK

**DEFENDANT MICHAEL
SCHEIDLER, M.D.'S MOTION FOR
REMOVAL FROM SERVICE LIST**

ALVERSON, TAYLOR, MORTENSEN & SANDERS
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**DEFENDANT MICHAEL SCHEIDLER, M.D.'S MOTION FOR REMOVAL FROM
SERVICE LIST**

COMES NOW, Defendant MICHAEL SCHEIDLER, M.D., by and through his attorneys of record, ALVERSON, TAYLOR, MORTENSEN & SANDERS, and files this Motion For Removal From Service List.

This Motion is based upon the papers and pleadings on file herein, the Points and Authorities submitted in support thereof, and any oral argument which may be heard at the hearing set for this matter.

DATED this 11 day of February, 2015.

ALVERSON, TAYLOR, MORTENSEN & SANDERS

By



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MEMORANDUM OF POINTS & AUTHORITIES

Plaintiffs filed their Complaint on April 16, 2013 in the United States District Court for the District of Nevada. (See Document No. 1). After filing their Complaint, Plaintiffs failed to timely serve the Summons and Complaint upon virtually all of the Defendants. On April 15, 2014, Defendant Michael Scheidler, M.D. filed a Motion to Quash Improper Service Attempt and Motion to Dismiss for Failure to State a Claim (See Document Nos. 78 and 79, attached hereto as **Exhibit A**). On May 2, 2014, Plaintiff filed a Notice of Non-Opposition to these Motions to Quash and to Dismiss (See Document No. 97, attached hereto as **Exhibit B**). Next, on May 7, 2014, United States Magistrate Judge Nancy J. Koppe issued the Report and Recommendation (Document No. 103, attached hereto as **Exhibit C**), wherein the Court construed Plaintiff's filing of the Notice of Non-Opposition as a Notice of Dismissal regarding nominal Defendant Michael Scheidler, M.D. Eight months later, on January 20, 2015, no objection had been filed, and the Court reviewed this matter, and accepted and adopted Magistrate Judge Koppe's Report and Recommendation (See Document No. 150, attached hereto as **Exhibit D**). According to the Order Adopting Report and Recommendation, Defendant Michael Scheidler, M.D. has been dismissed, and the Motions to Quash and to Dismiss, Document Nos. 78 and 79 were denied as moot.

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CONCLUSION

Based on the foregoing, Defendant Michael Scheidler, M.D., respectfully requests that this Court remove him, and his counsel from the service list for this case, as he is no longer a defendant in this case.

DATED this 11 day of February, 2015.

ALVERSON, TAYLOR, MORTENSEN & SANDERS

By



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Attorneys for Defendant

MICHAEL SCHEIDLER, M.D.

IT IS SO ORDERED.

DATED: February 18, 2015



NANCY J. KOPPE

United States Magistrate Judge

ALVERSON, TAYLOR, MORTENSEN & SANDERS

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